

John B. Sganga (State Bar No. 116,211)
Frederick S. Berretta (State Bar No. 144,757)
Joshua J. Stowell (State Bar No. 246,916)
KNOBBE, MARTENS, OLSON & BEAR, LLP
550 West C Street
Suite 1200
San Diego, CA 92101
(619) 235-8550
(619) 235-0176 (FAX)

Vicki S. Veenker (State Bar No. 158,669)
Adam P. Noah (State Bar No. 198,669)
SHEARMAN & STERLING LLP
1080 Marsh Road
Menlo Park, CA 94025
(650) 838-3600
(650) 838-3699 (FAX)

Attorneys for Plaintiffs and Counter-Defendants
THE LARYNGEAL MASK COMPANY LTD.
and LMA NORTH AMERICA, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

THE LARYNGEAL MASK COMPANY
LTD. and LMA NORTH AMERICA, INC.,

Plaintiffs,

v.

AMBU A/S, AMBU INC., AMBU LTD.,
and AMBU SDN. BHD.,

Defendants.

AMBU A/S, AMBU INC., AMBU LTD., and
AMBU SDN. BHD.,

Counterclaimants,

v.

THE LARYNGEAL MASK COMPANY
LTD. and LMA NORTH AMERICA, INC.,

Counter-Defendants.

Civil Action No. 07 CV 1988 DMS (NLS)

**PLAINTIFFS' *EX PARTE* MOTION TO
MODIFY THE PROTECTIVE ORDER**

Honorable Nita L. Stormes

1 Pursuant to this Court's request, Plaintiffs and Counterclaimants The Laryngeal Mask
2 Company Ltd. and LMA North America, Inc. (collectively "LMA"), hereby submit this *Ex*
3 *Parte* Motion to Modify the Protective Order entered in this case by the Court on September
4 3, 2008 to allow outside counsel Stephen Marzen of Shearman & Sterling LLP full access to
5 all HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL ONLY materials produced in this
6 case. This *ex parte* motion is supported by the accompanying Memorandum of Points and
7 Authorities, and the Declaration of Stephen Marzen with supporting exhibits, filed
8 concurrently herewith, as well as such other oral and/or documentary evidence as may be
9 presented at or before the time of the hearing.

10 Respectfully submitted,

11 KNOBBE, MARTENS, OLSON & BEAR, LLP

12
13 Dated: September 25, 2008

14 By: s/Frederick S. Berretta

15 John B. Sganga

16 jsganga@kmob.com

17 Frederick S. Berretta

18 fred.berretta@kmob.com

19 Joshua J. Stowell

20 joshua.stowell@kmob.com

21 Attorneys for Plaintiffs

22 THE LARYNGEAL MASK COMPANY LTD.

23 and LMA NORTH AMERICA, INC.

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2008, I caused the foregoing **PLAINTIFFS' EX PARTE MOTION TO MODIFY THE PROTECTIVE ORDER** to be electronically filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the applicable registered filing users.

Darryl M. Woo
dwoo@fenwick.com
Charlene Morrow
cmorrow@fenwick.com
C.J. Alice Chuang
achuang@fenwick.com
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco CA 94104
T: 415-875-2300
F: 415-281-1350

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Dated: September 25, 2008


Megan Ptacin

5961375
092208